

12/13/17

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FCC Order 17-108

These are not all of my issues and concerns. Since I was not even contacted or provided the reasonable accommodation I requested and am qualified for I was unable to complete the process in time and submit a full comment.

I probably repeat myself but I have run out of time. I will also refer you to my notes on the document as well. Which may need to be in separate comments.

I have been trying to understand the process, get help, and comprehend the *Declaratory Ruling, Report and Order and Order* on 17-108 since 11/29/17 spending hours a day doing so. I was not able to get to all of the report and skipped around.

I am frustrated and discouraged. My attempts to be involved and be a part of our government have made me realize the system is broken.

The process is confusing, intimidating, and impossible for the average person to be a part of.

Our government really needs to provide a lawyer/legislator to English translation of all its legislation regulations and information so that the majority of Americans who do not speak lawyer/legislator can understand it.

What I picked up from the FCC Report and Order regarding *Docket No. 17-108* was that this report is manipulative, hypocritical, inconclusive and poorly done.

All the FCC is doing with these reports is providing an interpretation or opinion. I interpret what an ISP is differently than Ajit Pai and that being said why is his interpretation more important than mine.

Why are comments from companies like AT&T, Verizon, Comcast and NCTA more important than the other 23 million plus comments? Why are the companies that would profit of this report constantly cited as fact? They have an inherent bias.

This Report makes it seem like neutrality/Title II classification is bad but these ISP's are doing well. It's clearly not affecting their ability to make more money.

Maybe these companies are just making selfish and self-serving choices. That's not the fault of net neutrality or Title II classification.

If these companies make poor decisions and choose not to invest in their communities and customers that's their problem and they should not be rewarded for making poor decisions.

The consensus of the American people through the comments provided clearly show the 2015 order putting in place net neutrality and Title II regulations of ISP's is not a problem and does not need solving.

Since there is evidence that can support both sides and the FCC does not seem to be a reliable source then the FCC should rely on the will of the people to determine the decision.

The community as a whole overwhelmingly wants the Net Neutrality Rules regulated under Title II classification for ISP's.

1. The FCC makes conflicting reports about what may be causing a drop in infrastructure investment. If there really is one.

The FCC makes conflicting statements about what is causing ISP's to not invest in infrastructure and not taken into account facts in FCC-CIRC 1712-04 Restoring Internet Freedom, WC Docket No. 17-108 Declaratory Ruling, Report and Order and Order that the FCC state are reasons for . It also over dramatizes the very small decrease if there even is a decrease.

WC Docket 17-108 *Restoring Internet Freedom (the Net Neutrality one)*

VS

WC Docket 17-84 *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*

Chairman Pai and FCC Contradicts himself regarding why they think infrastructure spending is down and the reason why ISP/telecommunication companies may be having an issue.

The actual issue regarding infrastructure spending according to the FCC in **Docket 17-84** is these telecommunications companies having to maintain 2 systems the older copper based tech while also putting money into building and maintaining the newer IP-based tech like broadband.

Pai states that billions of dollars a year are wasted that could be put towards these next gen networks. That could account for the few billion missing in the last few years

Pai "But unneeded regulations deter many companies from investing in these new networks. Having to maintain two networks—one legacy, one modern—diverts resources away from new deployments. By definition, every dollar that is spent maintaining fading copper networks cannot be spent on fiber. And the dollars are substantial; one estimate found companies could save \$45-50 in operating expenses per home each year by not having to maintain old copper facilities. Nationwide, that translates into billions of

dollars annually that could be devoted to next-generation networks. But that digital opportunity is denied when the FCC's rules force carriers to maintain the networks of yesteryear."

(In his statements regarding *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84.)

The FCC specifically points out how this will especially benefit rural America. So when they point that out in Docket No. 17-108 maybe this is the solution to rural America.

Furthermore Ajit Pia states 'Accelerating wireline broadband Deployment by removing Barriers to Infrastructure investment (WC Docket 17-84)' "unneeded regulations deter many companies from investing in the new networks. Having to maintain two networks – one legacy, one modern diverts resources away from new deployment."

So is the issue Net Neutrality or having to maintain 2 systems that is the issue?

If the issue is maintaining two diff types of networks then problem solves. They can put their focus in to changing over and we can keep net neutrality.

IP networks for phone calls are that same networks for the Internet. Correct?

These Telecommunications companies are already planning on putting this tech in to change from Copper Tech to IP tech for the phone systems. They are already planning on putting in the infrastructure for IP-based technologies. And are already getting a brake from this order 17-84 then there is no need to reverse the highly popular Net Neutrality and Title II classification of ISP's

Also this new system is essentially internet phones which is that same system uses for the internet. Such as fax machines which have been replace by email or internet faxing. The chairman of the FCC just stated that IP based technologies are used for the same purpose as copper networks, that IP based technologies are just a modern/upgraded version. This older technology was regulated under title II of the communications act as Common Carrier thus this newer technology that is serving that same purpose should.

So if Docket 17-84 solves the problem with infrastructure spending from telecommunications companies and fixes the spending problem what is the issue?

If the issue is then cable companies who also provide phone service they are doing great. According to the cable industry:

The Internet & Television Association (NCTA) While the US only has 4% of the worlds populations we have 25% of the worlds broadband investment.

Internet speeds continue to increase. From 2014 to 2016 speed doubled from 1 Gigabit per second to 2 Gigabits per second.

There continues to be growth in cable out-of-home WI-FI hot spots. Shooting up drastically from February of 2015 to today.

The US is 1 of only 2 countries that have 3 fully deployed broadband tech.

2. The FCC is creating a problem where this is not one.

Seems like the US is doing great in comparison to other countries regarding ISP investment. While the US only has 4% of the worlds populations we have 25% of the worlds broadband investment.

3. According to ISP's they are doing great.

According to the FCC these comments are taken out of context in Restoring Internet Freedom, WC Docket No. 17-108. Declaratory Ruling, Report and Order and Order which I don't understand

Verizon CFO Francis J Scammon stated in Dec 9th 2014 to investors: *" I mean, to be real clear, I mean, this does not, this does not, influence the way we invest. I mean we're going to continue to invest in our network and our platforms Both in wireless and wireline fijos and where we need to. SO nothing will influence that."*

How was that taken out of context?

Further more in the report regarding 17-108 on of the studies citation #337 state that we should trust ISP's guidance to investors. Stating that we should trust AT&T's guidance to investors regarding Project VIP's boost in Capex which ended in 2014.

What was this project? Did this project or type of project exist for any other companies? Does this explain the possible small percentage drop as well? Was this factored into the reports conclusion.

According to a study cited in report regarding 17-108 that supports its findings we need to trust companies statements to inventors.

I would then also refer you to companies filings and website like Verizon or NCTA website.

Many small ISP's have sent letters to the FCC stating that Title II regulations have not effected them and they are doing great.

According to Forbes AT&T Verizon in 2017 are again at the top of the global telecommunications industry after loosing their spot in previous years to companies from china.

If companies are doing great they have the resources and capital to reinvest in the communities and subscribers that helped put them there. If these companies do not understand this or are to selfish to do so we should not be deregulating them we should be regulating them as they are showing they lack the ability to make long term good decisions and do not care about the communities that have made them successful.

4. Further more the ISP industry brought this on themselves by constantly suing and challenging regulations put in place to protect and allow Net Neutrality and an open and free internet.

It is extremely reasonable to conclude that since ISP's sue the federal government because they did not want to follow these regulations for an open internet. Thus creating the very reasonable conclusion that not classifying ISP's as communications services (which in today's modern world they are) would be detrimental to an equal, fair, free and open internet.

The other option is ISP just sue people for no reason which is negligent and cruel both to society, share holders, subscribers, the government and the over burdened court system. If these companies sue for the joy of it then it is even more reason to regulate these companies that are out of control.

Either rational further makes one doubt the authenticity of pledges like no-blocking and no-throttling. It's a very reasonable conclusion.

Was that considered???

So that would be quite a net positive, regulating dishonest or out of control companies who have proven they are not able to regulate them selves or act appropriately.

5. The report and Order and Ajit Pai's statement regarding WC Docket 17-108 that we were not living in a dystopian world before 2015 make no sense.

Pai argument that we did not live in some dystopia before 2015 is wack a doodle and misleading because before the FCC lost the right to enforce the open internet order companies were adhering to it.

Before Verizon sue the FCC we were essentially living in a world with Net Neutrality except on wireless networks which could slow not block content.

Wireless network are the main tech we are moving toward and thus must be equal and open to all through regulations.

Over 2 decades ago policy makers did not understand what this tech would become when they made these laws and thus they have to be adjusted with tech.

The 2015 reclassification of the internet and IP based technologies as common carriers only provides people with better and equal service over all.

This reclassification only kept the statues quo of Net Neutrality which was the law of the land for wired ISP service and helped us advance with the technology switch to a more wireless ISP network. Which was providing the same service the wired ISP's did.

Thus the assertion the we did not live in a dystopia type of place was because **we had Net Neutrality that was enforceable**. This logic is so off flawed it makes me questions Ajit Pai fitness to serve in this position.

6. FCC lacks the Resources to review consumers (the American peoples) comments before voting on regulations.

The FCC has stated that it does not have the resources to review every comment. (Per a Washington Post article by Hamza Shaban Nov. 27 2017)

If the FCC lacks the resources to review the comments from the American people at the very least they should hold hearings across the country so they can understand what the American people want.

How can they make an informed option/decision if they do not have the proper resources to review consumers comments before making a decision.

Why are they rushing this through if they lack the resources to read comments and do their job.

If they lack the resources to review the American peoples comments what other resources do they lack?

Do they lack the resources to get accurate data regarding Net Neutrality and the effect it has had on business?

Why are they not providing the requested documents/ comments on this so that others that have the resources and/or desire to review the consumers /American peoples comments can do so?

If they can't be bothered or it's too much for the FCC to read the comments then how do they have the resources to write a 210 page report that is extremely confusing, contradicts itself and is filled with over a thousand sources.

7. The FCC commissioners have greatly varying opinions on Net Neutrality and Title II regulation and its 'consequences'.

Ajit Pai was poor at understanding and predicting the FCC's 2015 Open Internet order according to Commissioner Clyburn's release Nov. 30th 2017 'Debunking Chairman Pai's Claims about Net Neutrality'.

If Pai's claims and predictions regarding the FCC's 2015 Open Internet Order were so wrong why should the American people trust his judgment today?

He was wrong in 2015 what makes him correct now?

Pai was part of the FCC in 2014/2015 when Net Neutrality became an issue for the American People.

He knows the majority of Americans support Net Neutrality and want the classification of ISP as Common Carriers.

Thus I also question the impartiality of this report. Additionally since before ever becoming Chairman Ajit Pai has constantly opposed and made comment against net neutrality. It was his goal regardless of the findings to take a much weaker to Net

Neutrality and Title II classification. His response /dissent to Docket No. 14-28 was 67 pages long.

8. The over whelming majority of consumers see Net Neutrality and Title II classification of ISP as a positive that far out way the negatives. That is clear through the comment process alone even though common sense also supports this.

To the overwhelming majority of consumers the net positives far out way any negatives. I was unable to find a detailed and fully explanatory cost-benefit analysis and/or benefit-cost analysis that this reports to have done from which it draws conclusions. I am unable to review the actual rational and impartial method for the conclusions found in this report. Does that exist?

In the section V where is the documents that accompany the conclusions they came to, surely this is not a cost-benefit analysis it self? So many of the points state that there is little data if any for then to draw conclusions from and their reasoning is severely flawed.

I am also concerned with what this unneeded research and report cost the American people. This FCC has claimed that they have scant resources and yet they waste those on dramatized problems that those who benefit from a reversal of regulations are the ones dramatizing the issue. In fact the studies cited and conclusions drawn in this report state that there is little data to show the “problem” they claim there is. The studies cited are inconclusive as to the harm this report has concluded the regulations have to this country. The studies use different data sets, use extremely small data sets not inclusive of the industry as a whole, remove money that a company reports as Capex, do not count ISP providers they don’t feel valid, do not take into account factors such as project completions, do not specify exactly what companies are included in the studies, often use approximate or guessed at data that is often skewed to their hypothesis, and or use made up scenarios to compare to what actually happened to prove their hypothesis true.

While in certain scenarios I can understand counterfactuals in the ever changing and advance ISP/Internet world it seems less appropriate because you do not know what could or would come into play that would through an unseen obstacles or boost to the industry and this change investment strategies’ of a company.

9. All the FCC is doing with these reports is providing an interpretation. I interpret what an ISP is differently then Ajit Pai that being said why is his interpretation more important than mine. Why is AT&T, Verizon, Comcast, NCTA, and others interpretation more important than the other 23 million plus comments.

AT&T and others who would benefit from a repeal of net neutrality and an equal internet are sited so many times in this report and it often states that the FCC agrees with them and their conclusions. (ex page 38 #60 and see others).

Why are their conclusion weighted more than those who do not agree with the report. Why are corporation more important that the individual response? If a corporation is a person then shouldn’t they be judge that same as 1 person?

The consensus of the American people through the comments provided clearly show the 2015 order putting in place net neutrality and Title II regulations of ISP's is not a problem and does not need solving. The problem was solved in 2015 so why is this order trying to unsolve the solution?

This report is poorly done flawed and extremely prejudiced. It is not accessible to the average person and requires an unreasonable understanding of legal terminology and so much more. Its impossible to follow

Example:

Paragraph 87 from FCC-Circ 1712-04 states ‘ *we find the Title II classification likely has resulted, and will result, in considerable social costs, in terms of foregone investment and innovation.*

At the same time, classifications of broadband internet access services under Title II has had no discernable incremental benefit relative to Title I classification.

Which takes you to citation 329 which refers you to Part V (for a summary comparison of benefits and costs. Pg. 172

Which refers you to another separate document Internet Freedom NPRM FCC 17-60 citation 1072 when stating “whether the decision will have positive net benefits”

When you go to that document Internet Freedom NPRM paragraph 106 (pg. 35)

Given the size of the economic impacts due to our decisions in this proceeding, it is especially important to evaluate whether the decision will have net positive benefits. Our presumption is that the effects of the decision would have an annual effect on the economy of at least \$100 million which is the federal government’s standard threshold for requiring agencies covered by Executive Order 12866 to conduct a regulatory analysis.¹ Executive Order 12866 indicates regulatory actions are economically significant if they “[h]ave an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.”² While the Commission is not required by law to comply with this Executive Order, we believe the \$100 million threshold provides a helpful guideline for when a CBA is clearly appropriate.³ We seek comment on our assertion

¹ A “regulatory analysis” has three key components: (1) a statement of the need for a proposed action, (2) an examination of alternative approaches, and (3) an evaluation of the benefits and the costs. See Office of Management and Budget, *Circular A-4*, https://obamawhitehouse.archives.gov/omb/circulars_a004_a-4/#a (last visited May 19, 2017) (*Circular A-4*). The other parts of this *Notice* effectively seek comment on the first and second pieces of the regulatory analysis.

² For entities covered by Executive Order 12866, regulatory actions deemed economically significant must undergo review by the Office of Information and Regulatory Affairs (OIRA) and this review will typically require an accounting of the costs and benefits. See Exec. Order No. 12,866, 58 Fed. Reg. 51735 (Sep. 30, 1993); <https://www.reginfo.gov/public/jsp/Utilities/faq.jsp>.

³ While we believe it is clearly appropriate for actions in excess of \$100 million, we make no suggestion here about whether the Commission should conduct CBAs below that threshold.

that conducting a CBA is appropriate and that the decision is likely to be economically significant. (Citations are 234, 235, 236 in original document).

Which really gives me no help.

Now I am left to wondering where the cost benefit analysis (CBA) and the review by the Office of Information and Regulatory affairs (OIRA) is. Did they do an accounting of the cost and benefits? was it required?

I then go back to the FCC-Circ 1712-04 paragraph 300 pg. 172 and continue on. It states “there was generally favorable support for conducting this analysis” which has a citation number 1073. When I go to citation 1073 it makes reference “see, e.g” and makes reference to a bunch of names and places I can not find/locate example “see, e.g...AT&T Comments at 10”

I could not locate it in paragraph 10, citation 10, or page 10. So where do these comments exist. Why do you quote some parts but not others? Why not include links? You do for some citations.

Further more after all this I still don't know where this data and analysis is.

A Google search for cost benefit analysis for *FCC 17-108* or *restoring Internet freedom* and then using both titles did not bring it up.

Paragraph 300 goes on to state “*Relying on the findings discusses above in light of the record before us and as a result of our economic analysis, we used a benefit-cost analysis framework to evaluate key decisions.*”

Is a *benefit-cost analysis* different from a *cost-benefit analysis*?

Where is the record before them? Where is their economic analysis?

What are the findings above? Where are the findings above?

They cite over a thousand other things why not cite where their data is above? Surely they are not talking about the inconclusive studies cited earlier (ex. citation 334, 337, 352) or the varying and inconsistent interpretations of previous rulings and reports. And if they are talking about part V there are only 2 sentences before that one in this part.

Paragraph 300 goes on to state “*While the record provides little data that would allow us to quantify the magnitude of many of the effect, our finding with respect to the key decision we make in this Order allow for a reasonable assessment of the direction of the effect on economic efficiency (i.e. net positive or net negative benefits)*”

So the data which I still don't know exactly where to locate does not allow the FCC to quantify at all how much Net Neutrality and Title II classification has had on ISP? So it could have had an effect of a \$1 and not \$100 million? (As stated was the threshold in paragraph 106 of FCC 17-60)

What are the effects you could quantify and what could you not? (There is *“little data that would allow us to quantify the magnitude of many of the effects”*)

If your finding and research cannot provide you with any data that can tell you the size, reason or most of the effects why are you issuing this order?

Why has the FCC change its mind and out look?

Or is this order just the desires of ISP's and this reports was created to find a predetermined out come that these corporations wanted?

Is FCC confused who they work for and represent? Do they think they work for these ISP's and not the American people as a whole? Does the FCC owe something to these companies or does someone higher up in the FCC owe something? Don't you take an ethics pledge to work in government?

This doesn't seem very ethical?

It also puts into questions the entire report and its validity. If its manipulated for the desires of an individual or individuals then its not a legitimate report.

Moving one what is the math they used to find the 'net benefit'?

Citation 1074

“Net benefits” are the net present value of benefits minus the net present value of costs. When benefits exceed the costs, the result is net positive benefits, and when costs exceed benefits the result is net negative benefits.

So how to you do the math for citation 1074? What's the equation? What currently in the net present value of equality? Or doing you job and listening to the majority of Americans you work for? Or morals? How do you get a number for those?

Paragraph 300 goes on to state *“This assessment is equivalent to conducting a qualitative benefit-cost analysis, because the purpose of comparing benefits and costs is to identify whether a policy change improves economic efficiency.”*

Citation 1075

“For an explanation of the relationship between cost - benefit analysis and economic efficiency, see Richard O. Zerbe, Jr., and Dwight D. Dively, Benefit - Cost Analysis in Theory and Practice at 12 - 13 (1994).”

So again where is this analysis. Why are they citing an article/study from 1994 and not showing the processes. Are they saying they did not use numbers? How did they asses the value of things like equality or what the consumer actually wants? Did the interview people, or perhaps read all the comments they received on the issues? Have they truly listened and understood what the majority is saying? What are those worth?

Next paragraph: 301

“As proposed in the Internet Freedom NPRM , we evaluate maintaining g the classification of broadband Internet access service as a telecommunications service (i.e., Title II regulation);

1076

maintaining the Internet conduct rule; maintaining the no - blocking rule; maintaining the no - throttling rule ; and maintaining the ban on paid prioritization. “
1077

Citations 1076:

Throughout this section, when discussing maintaining broadband Internet access service as a telecommunications service, we mean as implemented by the Title II Order , where the Commission forbore from applying some sections of the Act and some Commission rules.

What the point they are trying to make here? It sounds like they are trying to imply something here but I'm not sure what. That the Commission when implementing the Title II order used common sense. That they understood that while ISP at their core & function should be classified under Title II there is different tech today then their was 20 years ago let alone 83 years so not everything was going to fit perfectly. Is that what this is trying to imply?

Citation 1077 states:

Internet Freedom NPRM , 32 FCC Rcd at 4468, para. 105.

And so I went to this paragraph.

This Paragraph States (105 *Internet Freedom NPRM*)

“We propose as part of this proceeding to conduct a cost-benefit analysis (CBA). We propose to compare the costs and the benefits of maintaining the classification of broadband Internet access service as a telecommunications service (i.e. Title II regulation);⁴ maintaining the Internet conduct rule; maintaining the no-blocking rule; maintaining the no-throttling rule; maintaining the ban on paid prioritization; maintaining the transparency rules; and acting on the other interpretive and policy changes for which we seek comment above. We seek comment on how the CBA should be conducted to appropriately separate or combine the analyses of each piece discussed above. We also seek comment generally on the importance of conducting a CBA as well as the interaction between the Commission’s public interest standard and a weighing of the costs and benefits.”

Once again this is just stating how they are going to get their data to make their conclusions.

This still does not give me any numbers and facts? Are they not using those?

I also thought that the comments provided from *Internet Freedom NPRM* was pretty clear that the majority of Americans are concerned about this issue and wanted these rules maintained? How much more qualitative data does one need to figure this out? The report states they had very little data to base their conclusion on yet I think their were around 23 million comments? Were they ignoring data or net positive benefits?

Paragraph: 301 goes on to state in this order

“We also evaluate the benefits and costs associated with transparency regulations. We make each of these evaluations by organizing the relevant economic findings made throughout the Order into a benefit - cost framework”. 1078

Citations 1078:

“We do not recount the analysis underlying each conclusion since that has been presented in the relevant places throughout the Order.”

Why don't they recount the analysis? Where has it been presented through out?
They site everything else why not this?

They site the proposed CBA, the way it may be conducted how they seek comment on this and more. But they do not at least cite or recount how they analyze the information they have presented and been provided. There are 1318 citations in this document many referring to already stated information and where it is. Why don't they do that for these very important cost benefit and economic finding?

Also why don't they recount the findings of their CBA or BCA? Still where is the actual report? Second V of this report cannot actually be the CBA or BCA? That would be crazy. I don't remember much from my high school statistics class but if I tried to use section V to valid the conclusions or this report I would have failed.

This section has so far taken me around in circles providing to reference to things that repeat themselves and don't show or cite any data, facts, or the actual processes behind their conclusions. Finally after a lot of fluff citation 1078 states that they don't recount the analysis of each conclusion because they have cited at some point.

How am I supposed to know what information each conclusion used to come to a conclusion? Why would you leave out this extremely important information as to what facts and data a report uses to come to each of its conclusions? But cite a paragraph, citations 1077, that says you are proposing to do a CBA of several factors as part of the processes. You cited the proposal to do a CBA in what this report is calling a CBA (I think) but you don't recount or cite how you came to the conclusions.

Next paragraph: 302

“The primary benefits, costs, and transfers attributable to this Order are the changes in the economic welfare of consumers, ISPs, and edge providers that would occur based on our actions. In our analysis of the net benefits of maintaining the Title II classification, the Internet conduct rule, and the bright - line rules, we compare against a state we would expect to exist if we did not maintain the classification or a particular rule.”

So they made up a scenario they think might have happen and then compared what did happen and came to their conclusion, that they had already decided on?

So how was this done? What data and methodology did they use? How did they analyze the data? Is there a factual unbiased CBA or BCA?

Paragraph: 302 goes on to state

“As explained in the Internet Freedom NPRM , we “recognize that in certain cases repealing or eliminating a rule does not result in a total lack of regulation but instead means that other regulations continue to operate or other regulatory bodies will have authority.”

1079 “

Citations 1079:

Internet Freedom NPRM , 32 FCC Rcd at 4469, para. 107 .

Which states: 107

In conducting the CBA, we propose to follow standard practices employed by the federal government. Specifically we propose to follow the guidelines in Section E (“Identifying and Measuring Benefits and Costs”) of the Office of Management and Budget’s Circular A-4. This publication provides guidelines that an agency can follow for identifying and quantifying costs and benefits associated with regulatory decisions while allowing for appropriate latitude in how the analysis is conducted for a particular regulatory situation. We seek comment on following Circular A-4 generally. We also seek comment on any specific portions of Circular A-4 where the Commission should diverge from the guidance provided. Commenters should explain why particular guidance in Circular A-4 should not be followed in this circumstance and should propose alternatives.

Is this essentially saying they did not do studies and there is no unbiased actually explained CBA or BCA(not just how they propose doing it)? Did they follow all of OMB circular A-4? What does this circular say? Did they equally take into account all comments? What were the comments they took into account regarding this? What parts did they use and what did they not? What was their reasoning?

Is all the data equally taken into account? Are all the studies equally taken into account. I know that in Ajit Pai statement regarding *Restoring Internet Freedom*, WC Docket No. 17-108 he discounts a study of the effects of Title II classification yet this order states that they do not have a lot of data to go on and does not recount the facts used to come to each conclusion.

The studies they did use in this report at times make you question the validity of the other studies used in this report to come to the final conclusions.

It seems pretty clear that the report and findings in this study are skewed to a predetermined outcome and are thus not reliable.

Additionally what human being could do this without great sacrifice and cost to themselves?

Only organization could do this.

THIS IS A PROBLEM

Just to figure out how a CBA should be done and could be done and how and why and where would take me weeks to read the rules.

Making my comment would take even longer.

They spend so much time explaining about how they proposed to conduct an analysis. Yet they spend no time presenting the data and process they actually used to make their determinations. They spend no time presenting an actual Cost Benefit Analysis.

And if they did conduct a CBA then how ever they conducted the CBA is bull shit (sorry I don't have a fancy word to describe what they did it just stinks).

Moving on paragraph: 302 goes on to state

“As discussed elsewhere in this Order, when analyzing the net benefits of maintaining the Title II classification, our comparison is to a situation where a Title I regime for broadband Internet access service, and antitrust and consumer protection enforcement remain in place.”

Again where else in this order is that discussed they site everything else. Why not this? And again is this saying we compared what did happen to a situation that did not happen so we made it up so we could compare?

This report is impossible to understand and follow and that is not ok.

Other Issues with order: Not in Order

Paragraph: 302 goes on to state

“Further, given this Order’s adoption of a transparency rule, when considering net benefits of the current rules we compare against a state where the transparency rule we adopt is in effect (as well as the antitrust and consumer protection enforcement that exists under a Title I classification). We also recognize that the actions we analyze separately could potentially be interdependent, but we believe a separate consideration of each is a reasonable way to approximate the net benefits.

1080

Citations 1080:

Attempting to assert the nature of these interdependencies, particularly given the limited record on such matters, we believe would introduce considerable subjectivity while not likely improving the ability of the analysis to guide our decisions. Moreover, we consider additional regulation, for example, adding an additional rule to a baseline package of Title II regulation and another rule (or none) is likely to have greater negative impacts in terms of regulatory uncertainty, and distortion of efficient choices, than the baseline package, while at best having little or no additional impact on the positive impacts (if any) of each element of the baseline package. That is, the interactions increase uncertainty and the unintended side effects of each element, without making each element materially more effective.

**How did they come to this conclusions and isn’t this stating that they did assess the interdependency of particular factors? (ie adding rules and not adding rules to title II classification)
Didn’t they say they were not going to do that because they did not have enough data?**

WHY IS THIS A CITATION while earlier they just refer to the entire section for reference “as earlier stated in the report”

Why do they not site their other methodology and thinking in citations? Or just put it right in the report.

How does this make any sense?

This citations is saying: because the FCC has a limited amount of data the FCC feels that looking at different possible actions together that may effect one another and be intertwined would cause a bias.

How does not having a lot of data and understanding how one action affects another create a bias?

Why does the FCC believe looking at how factors effect each other and interact will cause a bias?

The FCC Further feels that looking at actions together that could be interdependent will probably not providing a better examination of the facts to guide the FCC decision?

Or is the citations saying that the FCC feels that looking at actions together that could be interdependent will not change their decision because they already made one?

How does having all the facts and understanding how one action affects another not improve ones ability to make an accurate conclusions?

If there is not enough data to look at ‘the nature of these interdependencies’ why are you making a conclusion on them independently?

How can you make an accurate and/or un-bias decision or conclusion if you can not understand how factors are connected and or dependant on ones another?

Is the FCC not sure if adding rules will have any positive impacts? Or are they not sure if there are any positive impacts of current Title II regulations?

Why are they not sure of the positive impacts? Did they only look for negative impacts?

I thought they did not have enough data to understand the reason one action affects another actions. So how have they concluded that adding rules and not to Title II classification 'Increases uncertainty and unintended side effect or each element, without making each element materially more effective'.

How do they know it does not make each element 'materially more effective'. What are these elements?

I would be uncertain if this is how the FCC spoke to me in fact I am. Maybe if they tried writing and talking like normal people this uncertainty would not be caused.

How do they know it will not make each part of Title II more effective? What are the unintended consequences and

Wasn't the transparency rule part of 2010 Open internet order? If so then you have all the classifications of Title I with transparency as that was a part of it along with the other net neutrality rules. ISP did fine then.

So again you are comparing against a made up situations? How did you make up this situation where your transparency rules are in effect? What data/ methods/research was used? Why is not cited? Where are the facts?

Why do you believe only evaluating independently is better than doing both and getting more information? Wouldn't your finding be more conclusive and informed to have both?

Wasn't the transparency rule the part the court help up regarding the 2010 Open Internet order when Verizon sued the FCC?

If so your inclusion of adding that is really just an addition to what happened before.

Also the anti-trust isn't that under another agency? If so your expecting in our current climate that one agency will enforce one part of a rule and another another?

How will you work with this agency to ensure this happens?

Do you think this is reasonable considering our current climate and the issue with staffing?

On that issue does the FCC have the appropriate staff to conclude these findings? Or do the research needed?

They have states they don't have the resources to even read all the public comments.

Para: 304 states

304. *Maintaining Title II Classification of Broadband Internet Access Service.* We have found that the *Title II Order* decreased investment and is likely to continue to decrease investment by ISPs.

These decreases in investments are likely to result in less deployment of service to unserved areas and less upgrading of facilities in already served areas. For consumers, this means some will likely not have access to high - speed services over fixed or mobile networks and some will not experience better service as quickly as they otherwise would under a Title I classification. While the evidence in the record on the effect of Title II is varied in terms of details due to different methodologies, data, etc., we found that the Title II classification did directionally decrease investment by ISPs.¹⁰⁸²

How did you come to the conclusions that this will lead to consumers having access to better service as quickly?

Also you are not saying that this will stop consumers from have access to better service. And what is the approximate time difference you concluded?

What's the ect. that effected the results?

Also stating the evidence you have decided is valid on the effect of Title II is inconstant because different data was used, different methods were used and more does not prove the point that Title II decreased investments by ISP's.

What about Free Presses findings? Is that data you considered? That tells a different story.

Citations 1081:

See supra Part III.C.1.

When you go to Part III C. 1. (which is two paragraphs 86-87)

This section again does not give me any studies or finding or numbers or solid proof of this, as stated in citation 1081.

The only citations that may brings me to a study/reprot is 321. That link (<https://www.ustelecom.org/broadband-industry/broadbandindustry-stats/investment>) takes me to a page not found. But I think this was again just to show what broadband providers spent on network capital expenditures in 2015 and since 1996.

“(“Broadband provider network capital expenditures in 2015 were \$76 billion . . . [w] ith investments totaling around \$1.5 trillion since 1996. . . .”)

If this intended to takes me to the page sited in Pai Statement letter. That only takes me to a link that shows that ISP have invested 1.6 Trill and then if you click on the link takes you to

If this is meant to link you to another studies be USTelecom dated October 31s, 2017.

That also has several flaws and is questionable. Seems like pretty bias data and also does not say that Title II classification has caused companies to decrease investment.

The other numbers it sites are just numbers of people who use different types of services.

Paragraph 87 states: “Based on the record in this proceeding, we conclude that economic theory, empirical studies, and observational evidence support reclassification of broadband Internet

access service as an information service rather than the application of public - utility style regulation on ISPs”

“We find the Title II classification likely has resulted, and will result, in considerable social cost, in terms of foregone investment and innovation”

So again no real numbers on Title II classification being an problem, hurting consumers or negatively effecting infrastructure spending. And nothing to back up this conclusion in Part III.C.1. which paragraph 304 from part V citation 1081 referred to so I could see their findings.

Paragraph 87 goes on to state “At the same time, classification of broadband Internet access service under Title II has had no discernable incremental benefit relative to Title I classification.

³²⁹ “

Which citation 329 take me back to Section V (For a summary comparison of benefits and costs, *see infra* Part V.)

But from what I can find in that section they only think it doesn’t but did not really look into it.

And now I have been redirect from section V to section III.C.1. back to sections V.

(Also the link in citation 326 does not take you anywhere)

Citations 1082:

Since the *Title II Order* classified broadband Internet access service under Title II and adopted rules simultaneously, it is difficult methodologically to make a clear delineation between the effect of the classification and the rules. However, the theoretical underpinnings of our finding about the effect of Title II specifically also support the finding of a negative impact on investment as a result of Title II *per se* . *See supra* paras. 83 , 93.

Paragraph 83 is about whether the FCC now thinks broadband Internet access is functionally equivalent to a commercial mobile service.

How does this prove that Title II has decreased investment by ISP’s?

Paragraph 93 is about the casual effect of Title II regulations on ISP’s investment and output.

It does not show much conclusive evidence and states that no studies were conclusive that Title II classification is detrimental to the United States. Paragraph 93 states none of these studies conclusively show Title II regulations are hurting our country, ISP investments in infrastructure or consumers.

The paragraph also states that some of the studies will make up hypothetical situations that they can compare to what actually happened and see the differences.

2017 study Citation 345 “According to that study, in the short term, the decision appears to have had little direct effect on stock prices, except for a few cable ISPs. That may reflect the forward - looking, predictive capabilities of market players.”

Citation 346: “The record does not provide sufficient evidence to quantify the size of the effect of Title II on investment.

The Paragraph sites only 2 sources one study done in 2017 that showed Title II regulation had little affect on stock prices except for a few cable ISP's, not all ISP's or even every cable ISP. And another study regarding economic theory that states there is not enough evidence to know the size of the effect Title II may have on infrastructure across all business not specifically ISP.

The FCC concluded that based on comparing hypothetical situations with what actually happened there tended to be evidence of causal impacts of Title II classification. From this The FCC concluded that Title II classification was hurting ISP's and decreasing investment.

How?

First one of the study is a theoretical paper from 2006 when the Internet and ISP where very different. Second one of the studies says it had little impact on the stock prices and only effected a few cable IPS's, not even the entire industry.

It seems like a poorly supported conclusion and rational. As this FCC, and Ajit Pai accuses the former FCC this report is a solution in search of a problem.

The overwhelming majority of American want Net Neutrality and Title II classification of ISP's. There is bipartisan support for it by the American people. It does not seem to be substantially effecting the ISP industry. There is little evidence of negative effects on the economy or the American people so why is this being made an issue.

Sure Cause and Effect can often be extremely clear like in the study of climate change and the effect we have on the place we live.

I also don't think it's a bit hypocritical for the FCC under Ajit Pai to be using hypothetical studies and scenarios. Since he himself has stated the American peoples concerns about ISP slowing down and blocking content are mainly hypothetical situations. This FCC's conclusion that Title II classification is hurting ISP's, American infrastructure and the economy are mostly hypothetical's.

I find that the FCC is bias in their opinions. They link to studies they like yet ones unfavorable to there desired out come they do not. Ex. paragraph 91 citations 339, and paragraph 96 citation 357

In reading this over again and again I hear that the threat is minimal and the concerns are perceive concerns.

Yet I am reminded of the nasty battles between cable companies and the networks.

In 2013 Time Warner Cable blocked CBS station including Showtime for 32 because an agreement could not be made. I personally remember seeing the adds on TV telling me that I needed to call Time Warner as I may loose access to

These nasty disputes should not be my or any other consumer's problem and yet the victims of the black out are the customers.

The same could happen with ISP and certain websites like Google or Netflix.

<http://variety.com/2013/biz/news/time-warner-cable-subscribers-sue-over-cbs-showtime-blackout-1200578532/>

Cable ISP's have already shown they are willing to block content. It is easy to see how this translates to the Internet.

The merger of Time Warner Cable and Charter communications not only creates more of a monopoly and less service choice for consumers but for some it did not decrease their cable bills it increased them. They were forced to pay more for the same thing.

<http://www.miamiherald.com/news/nation-world/national/article147715819.html>

What is to stop these same cable providers who block, drop channels, and raise prices to on TV packaged from doing the exact same thing with the Internet? They have already shown they are willing to do so.

ISSUES WITH THE STUDIES:

Issue with the studies and numbers. Everyone numbers and stats are different. study from citations 334 leaves out several types of providers like satellite providers. This study also leaves out of it numbers AT&T's numbers DirectTV and Mexican Wireless. I can understand Mexican Wireless but DirectTV is makes no sense. The study also approximates these numbers and rounds up. (Page 4 go and look at)

No consistency:

Yet to show competition in markets the FCC report includes satellite on page 70 paragraph 124-126 ish.

There is no constancy and thus the makes it impossible for the typical person to understand. Something is clearly wrong.

Page 88: Para 150 citation 543 says that Anti-Trust frame work will strike a better balance by protecting competition and consumer while providing industry with greater regulatory certainty.

But in Para 149 its states that the Anti Trust law is based on a case-by-case basis that clearly creates regulatory and industry uncertainty. You don't know from one case to another or one day to another how something will be judge or decided on. That not only creates regulatory uncertainty but uncertainty with for the consumer. They will not be sure if they have right or a course of action if treated unfairly.

Para 150 state that “we also find that the combination of the transparency rule, USP commitment and their enforcement by the FTC sufficiently addresses the argument made by several commenter that antitrust moves too slowly and is too expensive for many supposed beneficiaries of regulation”

Para 148 states “The FTC and DOJ can also bring enforcement actions in situation where privates plaintiff are unable or unwilling to do so.”

-Well that’s the stupidest thing I have ever heard.
Glad you are so lackadaisical and have no idea what actually goes on.

As if this is supposed to prove something or ease someone’s concerns. It clearly stat CAN and does not give any guarantee like written rules. The EEOC can also bring charges against parties for a plaintiff but they don’t typically, unless it is a large case with multiple defendants or if it suites their current needs. Leaving most defendants to hire their own lawyers at great cost and time to themselves.
I am sure that it is the same for these agencies.

Also putting the burden further on already stretched government agencies and funds is yet another concern. Lawsuits take a very long time are time consuming for both the plaintiff and lawyer which is fine if that’s your job but that is not the plaintiffs job. It takes an emotional toll and physical time that one cannot get back.
There is also something quite unsettling about the fact that a company violates a law, in this case an anti-trust law, and then in order for enforcement and for a plaintiff to get compensation the government must take legal action. Spending the governments resources and tax payer money when a rule or regulations can do the same thing with less cost to the tax payers and stress on government resources.

If the FCC commission and the FTC commissioner and those who worked on this report do not understand how expensive and drawn out a legal case can be then I question their ability to do their jobs.

Insert started section of citation 544

Citation 545: FTC saying that civil law enforcement has always worked to deter against bad behavior and repeat bad behavior.

Bull shit. Let take a look at all the sexual harassment claims and settlements that have come out recently. Or take a look at how oil companies continuously reek havoc on the environment and don’t pay proper restitution. Or how drilling rigs are often unsafe work condition yet they are not inspected properly, due to lack of government resources and manipulation of responsibility.

Companies violate laws all the time and the consequence for doing so if there is any typically is trivial to them.

And if the FCC does not get this then I can only conclude that they are stupid or they are lying.

Para 151 citation 548 and last 2 sentences.

The burden of proof would be on the company not the consumer. It would be far simpler and backed up by rules if determined to be a violation.

The 'No Blocking Commitment' is a commitment not a law. I would prefer a law or contract not a commitment. Do you think the American people are stupid. How many times are we going to take a commitment from the corporate world. They can't and don't behave how can they be trusted.

Para 156:

The very actions of this FCC Creates regulatory uncertainty. A very large argument made by them that Title II classification does and that it causes a drop in investment. As mentioned in this report or reports mentioned in this report. The possibility of Title II classification for ISP was looming for some time.

Additionally the principals of Net Neutrality existed as law up until Verizon sued. The industry brought this on them selves

157 citation 572: I would also argue that the line that states a change in administration brought by the peoples casting their votes"

I assume people refers to the American people. In fact the change in administration to this one did not come about due to the people casting their votes. It came about because an electoral college, a small group of individuals who are not representative of this country as a whole cast votes.

The administration that would have come about had it been based on 'the people' casting their votes would have been a different one. Thus I find your reasoning bullshit.

Citation 1070

There are costs associated with filing an FTC complaint similar to claim by small ISP's or ISP's. Why is a small ISP's concerns taken into account more than a small start up.

Para 310 and situation 1089 and 1090

So Make the paper work digital and have the computers do it. That's how pay role is done at most companies.

and all companies have to do paper work. this is not a new thing.

While the FCC has limited data on this cost and don't have specific information on their new rule (they compare it to are sitting the fact doing paper work costs the companies and that doing paper work to comply with more/stricter transparency causes the companies more expenses in papers work??

They are comfortable assuming it will cost companies less in paper work because they are comparing it to a functional same rule 'open internet order part'

They understand that those are functionally the same but not cell phones to regular phone???

Is it functionally the same say like you said earlier that mobile phones was not functionally the same regular phones? The

Doesn't the FCC want ISP's to be more transparent?
what is the difference in regulations. Is it more transparency under the Title II approach
That is probably a better thing for consumers and the country.
More transparency = GOOD

313.

Through your benefit-conduct 'analysis' you find the benefit of conduct standards to be zero.

So the FCC does not believe that ISP's should have any conduct standards. Well that seems naïve and silly.

Have we learned nothing

Para. 315 maintain the Ban on Paid Prioritization.

This net positive and net negative calculation is crazy and nonsensical.

It does not taken into account that the majority of Americans want this. Proof is shown through the comment process in 2014/2015.

Neither the FCC chairman then who is/was a lobbyist for cable providers or Obama who had a close relationship with ISP CEO's. Were jumping for joy on this one.

Its want the American people clearly wanted and spoke up for. That is why this happened.

So your net positive or cost benefits analysis is flawed and wrong.

The society over whelming wanted this regulations thus the net positive of net neutrality and title II classification far out way the net negative.

For the FCC not to take into account the comments and desires of the American people show how flawed there data and findings are.

With little data to prove their desired outcome and more importantly the consensus of the majority in opposition to this regulation rolled back that FCC has steam rolled ahead. If you don't have consistent, reliable and unbiased data to support your 'theory' and more importantly you don't have the 'will of the people' then you don't have a leg to stand on. Due to this the finding for rolling back net neutrality and title II classification of ISP is certainly Net negative.

Do your job. You should be ashamed of yourselves each and everyone who contributed to this sham. At least the last people in office listened to the American people and not their own self-serving desires.

People should know that under Ajit Pai's chairmanship the FCC became an agency that ignored the American people and sought self-serving interests. For what reason I am not sure but it is a reasonable and probably probable from the information available to draw the conclusion that it is because he benefits from deregulating ISPs possibly maybe probably that it helps him financially, economically and or socially.

It's net negative for the country but net positive for Ajit Pai and his posse.

Para 325

Citation 1114- But the reports and data you cite in citation like 334,336,337 are not complete pictures of the market and you used those. So are those not valid. Do those not give you a complete picture.

As you state there are thousands of ISPs doing business in the United States.

Also you constantly cite the larger companies in this document more so than other companies as proof of your confusing conclusions.

Para 326

If the commission has 'scarce resources' as they state then was this report done corrected and diligently. Was every concern, comment, and information reviewed diligently. Was the research fully and appropriately done? If the FCC thinks it too much to retrieve PDF's and plug a hard drive into a computer so they and others can get more data for a report that has very little data, and even less conclusive data. That draws conclusions from hypotheticals and 'I think so probably' it makes me question the validity and truthfulness of this report.

Something seems wrong.

They constantly state that this very little data, they make extremely odd and illogical conclusions. They use hypotheticals a lot.

FCC Fact sheet the beginning:

1. It states that this order would return to the bipartisan consensus on light-touch regulations, ending utility-style regulations of the internet. This statement is a miss characterization and out dated. The bipartisan support from the overwhelming majority of Americans was for utility style regulations or the internet.
2. The transparent requirement was the part of the 2010 open Internet order the courts upheld when Verizon sued the FCC.
Don't you have to have this rule.

The Order: Intro-

This introductions kind of reads like a bad Time Share pitch that's trying to sell me some piece of crap by lying and distorting the facts and number all while pretending they are helping me out. It reeks of fakeness.

1. Para 1 again try's to push that false narrative that there is bipartisan support on consensuses on this report and order.
The Bipartisan consent and census is actually for the 2015 order GN Docket No. 14-28.
The overwhelming majority of Americans do not want this. So that's incorrect.

Also the statement regarding rapid and unprecedented growth for 2 decades is miss leading under the 'light-touch frame work' and title I classification. First there were rules and regulation the required ISP's to adhere to net neutrality principles and standards. Second there was not internet or broadband and entire infrastructures had to be created so of course there was a lot of growth over the past 2 decades because their was nothing before. When you go from nothing to an entire system comparatively that's a lot of growth. I am not sure I would classify it as unprecedented. The industrial revolution has a lot of rapid growth.

The American people do not find these regulations burdensome as the paragraph states. That is a miss characterization.

The American people don't need to be empowered to choose broadband Internet access service we have been doing that for years and at increasingly unprecedented rates. So again wrong.

Para 2- states that this order is taking step to restore internet freedom. Once again I think these people are mistaken and confused no one kidnapped the internet its still here. The majority feels that the internet does not need to have freedom restored. This is not a problem that needs solving.

This Order is a solution in search of a problem. (another gross talking point used in this order that distorts reality)

It also states that the 2015 open internet order abandoned 20 years of precedent in classifying broadband internet access services a telecommunication service. Until 2015 the internet was regulated under rules and regulations similar to being a telecommunication service, and enforceable under title II regulations.

Showing the internet was always a telecommunication service it was just regulated or labeled in correctly.

This whole introduction reads like the FCC is correcting a great injustice in our society that has oppressed and hurt the people of this great nation. When in reality minimal to no one thinks Net Neutrality or ISP's being classified as telecommunications services regulated under Title II is an injustice, aside from ISP's who want to charge people more money for less service. The injustice is this order and the FCC allowing corporations to take advantage of consumers.

Also is this paragraph saying that listening to the American people is misguided?

Para 3

Individual consumer did decide what internet access service best fit their needs. It was Net Neutrality and Title II classification on ISP's. The government heard us, listen, and took the necessary steps in 2015. I will refer you to all the 'real' comments on this proceeding 17-108 and the comments regarding Docket No. 14-28.

So why is the FCC now ignoring the majority of Americans?

Why are you modifying the 2010 transparency rule? How does it promote more transparency if you are requires the companies to report less information's?

I thought the FCC was all about how great the regulations and classification was before the 2015 Open Internet order?

Para 4:

Why would you get ride of conduct rules those seem like a good thing?

I think it is extremely naïve to believe that by reduce the transparency requirements and data provided by companies, getting ride of conduct rules, using consumer protection laws and anti trust regulations that are implemented inconsistently and come at great cost to the consumer financially and physically will ensure or even foster an Open Internet.

The FCC's "means" they are providing consumers in reality is nothing. How many anti-trust cases does the FTC take on for individuals who cannot. If its anything like the EEOC almost none. Also as I understand it anti-trust laws do not protect individual consumers who purchase Internet.

The net Neutrality Rules and Title II classification allowed for consumers to be protected and unburdened with having to constantly check a companies web site for transparency

updates. It was a great deterrent for bad behavior as well, far greater than any of the 'regulations' proposed in this order.

Para 5:

The issue with promoting broadband deployment in rural America and infrastructure investment throughout the nation is not an issue as it is addressed in another FCC order WC Docket No. 17-84.

Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84.

Says so right in the title. According to Chairman Pai the problem is not Title II classification but these telephone companies have to maintain two networks "one legacy, one modern" and that nation wide billion or dollars a year are wasted on this. Docket No.17-84 addresses this problem. This could account for the several billion dollar drop in capex that the FCC and some studies are claiming. It was just too burdensome for them.

Will new IP based technology be regulated the same way as the old copper networks? It should be they are the same thing. Same purpose.

According to the cable industry they are doing great.

According to the Internet & Television Association (NCTA) While the US only has 4% of the world's populations we have 25% of the world's broadband investment.

Internet speeds continue to increase. From 2014 to 2016 speed doubled from 1 Gigabit per second to 2 Gigabits per second.

There continues to be growth in cable out-of-home WI-FI hot spots. Shooting up drastically from February of 2015 to today.

The US is 1 of only 2 countries that have 3 fully deployed broadband tech.

Seems like we are ahead of most every other country in tech, options and investment. And since according to one of the studies cited in this 'report' saying that the drop in investment from Title II regulations paranoia started in 2010/2011 is pretty clear and a reasonably reasonable obvious conclusion that Title II classification does not hurt this country.

We are ahead of the rest of the world in terms of infrastructure and tech.

(Citation 352- which puts the other studies into question like citations 337,336, 334)

Once again then you should probably stop interpreting this or that and coming up with excuses after excuse and listen to the American people.

See studies

There continues to be growth in cable broadband customers as well with 58 million in 2015.

<https://www.ncta.com/broadband-by-the-numbers>

Infrastructure spend has not stopped at companies and blaming the Open Internet Order of 2015 and Title II classification as harming or slowing infrastructure spending and over dramatizing the issue is negligent.

These companies are making poor choices regarding the communities they are a part of that's their fault not the 2015 order.

Additionally according to NCTA new tech physical infrastructure may not be needed in the future as much

DOCSIS (the technology that makes cable broadband work) is also continuing to be invested in and upgraded. NCTA states the newest version of the Tech DOCSIS 3.1 "tops out at a whopping 10 gigabits per second. It doesn't do it just by adding more data channels. It does it by using advanced frequency techniques to allow more information to be encoded over the same wires.

And that's what makes DOCSIS 3.1 so remarkable - it expands internet speeds more than ten-fold via existing infrastructure."

<https://www.ncta.com/positions/the-future-of-super-fast-internet>

Yet another reason the companies may have shifted their spending, maintaining the current infrastructure is and doing minimal upgrades is far cheaper than having to invest in an entirely new systems and infrastructure. Which is what happen when the internet was first invented and then broadband and then wireless technology.

So we know what the problem is for phone companies having to maintain two systems and the cable companies are doing great. Doubling internet speeds, adding customers and so on.

Another explanation is perhaps more ISP's are renting parts infrastructure from 3rd parties sources like American Tower (owner, operator and developer of wireless broadcast and communications infrastructure). This means less need for infrastructure sending.

(<http://www.americantower.com/corporateus/index.htm>)

What is most important to remember is these companies are doing great, despite this report trying to make them look struggling near bankruptcy. In 2017 AT&T and Verizon are the top 2 telecommunications company's in the world. In previous years they were behind China Mobile.

(<https://www.forbes.com/sites/antoinagara/2017/05/24/the-worlds-largest-telecom-companies-att-and-verizon-top-china-mobile/#5643de5ea452>)

Also according to the FCC the median speed for Internet access across all consumers is up 22%. Meaning the consumers Internets speed are continuing to grow. Showing that

Title II has not decreased but increased ISP's ability to provide faster internet to more consumers. Consumers have not been harmed by the Title II classification they supported.

<https://www.fcc.gov/reports-research/reports/measuring-broadband-america/measuring-fixed-broadband-report-2016>

Yet another reason this order is not reliable enough to change a regulation that has bipartisan support across the country.

Moving on if you are a telecommunication company you offer telecommunications service. Thus you should be regulated as such.

Para 53 is a total contradiction to other parts of the report and itself even if the commission does not want to interpret it that way that is just fact.

First they say that 'telecommunications service' and information service are mutually exclusive, but this is clearly an out data view for today's modern world where we are switching from an old copper base infrastructure for phones to an IP based infrastructure like fiber thus showing that they are not mutually exclusive and have not been for sometime. Would phone service offered on this new tech not be covered as common carriers is that the ground work they are laying? Because home phones and cell phones regardless of the tech that makes the calls are used for the same purpose. They are equivalent/same function as phone or telecommunication services regulated as common carriers.

The paragraph also states they are interpreting parts of rulings from over a decade ago which states 'can reasonable be read to mean stand-alone' offer and some long standing views or beliefs which are also out of date in today's tech and communication world to say they are required to interpret that a telecommunications service must be a stand alone offer. Broadband internet services how ever offers an 'integrated information service' due to the fact there transmissions are intertwined so it can't be a telecommunications service because it offers more than just telecommunications (while still offering telecommunications) but telecommunications and information services are mutually exclusive. How can that be?

Cell phone companies offer telecommunications services over the same networks they offer data and other function. Cell phones make calls just like 'regular' phones again disproving this outdated view. These telecommunications companies such as Verizon offer just cell phone calling plans and plans with more services like data and Internet. What are they?

So 'telecommunications service' and 'information service' are mutually exclusive but they are also sometimes not.

This same paragraph goes on to say that even if these telecom companies offer telecommunications service as part of there service a company can 'provide'

telecommunications services even if it does not 'offer' telecommunications because 'provide' is a different and more inclusive term than 'offer' (citation 198).

How can you provide something without offering it? For example a makeup company could not provide a makeup application if it wasn't something the company offered as a service.

Also provide and offer are synonyms. They are essentially the same thing.

Or is this saying that this is like scalpers who act as if they are looking for tickets when they are really selling them? And isn't that illegal which is why they don't offer a service they clearly provide. It's the same concept with escorts.

Is the FCC encouraging ultimately illegal actions through a manipulation of facts. I don't think the FCC should be encouraging and using as a basis for reclassify ISP's as information services actions that ultimately have an illegal purposes.

In this one paragraph they contradict themselves, cherry pick facts, use outdated views, and encourage illegal services. It is just a fact that telecommunications services have a much larger range in today's modern world.

Further proving the outdated and ultimately incorrect interpretation of what a telecommunications service is Para 54 refers to the communications 'historical classification precedent' and a decision from over a decade ago from the Supreme Court. No offense to the incredibly smart individuals who sit on the Supreme Court but I am not sure even the youngest justice who sits on the court today fully grasps what internet is.

They are from a different area and what the internet and broadband technology is to the generation who grew up with it is very different than what the internet is to those who did not. The internet at its core is what the phone system was. It is a service that allows people to connect and communicate better with the world and through Title II classification gave everyone an equal and fair opportunity to do so. Sure you could choose to have a rotary phone, a touch tone phone, or a cordless phone all that worked at slightly different speeds but everyone got an equal chance to use the system. My cordless phone did not give me priority or a fast lane over my grandmother rotary phone when I made a call.

Perfectives: Citation 352

This whole what if this and what is that scenario leave a lot of room for error and incorrect information. What if we did not have this regulation then what would have happened. Let's compare it to industries that show similarities in growth but not account for the factors or regulations that surround those industries that may effect the comparison. So the conclusions can be made that Title II decreases capex and infrastructure spending. Yet the studies does not have any idea how much.

It's just excuse after excuse after excuse for corporations.

Why is it the FCC and US government treat corporations like they are the golden child when in reality they are the bratty temperamental bully.

The government will come up with any excuse to explain away their constant bad choices, failures, and sociopathic tendencies. Oh its ok AT&T its not your fault you are the top telecom company in the world and have increasable more revenue to reinvest. We know it has been hard for you with that burdensome regulation that did not hurt your company at all and was great for society and democracy.

You know what since things worked out so well for you and instead of acting like responsible and intelligent human beings and putting your every growing profits and subscriptions base back into the community that made you that money and choose you we are going to help you out. It must be so hard for you doing so great.

These companies are doing great and because they are making bad business decisions and acting ungrateful to those who paid the money ever month you want to reward them. Are you insane?

These companies are doing fine under title II regulation and it is not hurting their bottom line. Stop rewarding bad business decisions. It did not work with the banking industry and its not going to work here.

Bratty stupid children and adults need structure, monitoring and most importantly rules and regulations. God are the people in charge really this stupid, because I couldn't read until I was around 9ish and I get that this is the stupidest fucking load of crape excuses.

Listen AT&T may not want to hang with you anymore but you took the job of hall monitor so now you need to do your job, besides that guy is a dick.

The study referred to in citation 352 keeps referring to the reclassification of ISP's under Title II meaning they we classified this way before. So the unprecedented growth of the last 20 years that this FCC order and Chairman Pia keep touting of an amazing time of innovation and discovery happened under Title II regulations to a degree. Well then the obvious conclusion is Title II just takes some getting used to and things will even out.

Also how did the study/ theory account for the fact that during the 80's 90's some ISP's were classified as common carriers under Title II regulation? When he looks for his comparisons he says he looked at industries with high correlation and similar trends through equations and his eyes and then deciding what looked similar, coming up with A- machinery manufacturing, B- computer and electronic manufacturing, C-Plastic and Rubber manufacturing and D- transportation and warehouse manufacturing. Questionable comparison on its own for C and D. How does he account for the fact that Title II regulations were in effect for some ISP's. Wouldn't that fact alone affect obtaining accurate? What if no ISP's ever had Title II classification then would that have led to comparison closer to one of the other 65 economic sectors from the BEA's Data? Would that have showed completely different numbers and trends? How was this controlled and accounted for in the what is this then maybe that would have happened experiment?

Citation 352 – Normally this would not be a thing on its own but since clearly this catastrophe of a report is Pai crowning achievement on his application to the Evil League of Evil its strange that Pai is sited in the study and how the guys knows this and when and where Pai made this revelation is not sited in the study. Yet this guy counted all Title II trade news coverage from 2010-2015. I am not saying it means anything but it is very strange.

Also citation 28 of this study states “I suspect the fit may improve using treatment dates after 2010 since investment plans often are made years in advance. Given the paucity of post-treatment data, however, I do not report the results of tests on years later than 2010.”

So did he not do them or not report them in this test? And if investment plans are often made years in advance and as this guy states the announcement caught investors by surprise (page 4) when it was released in May of 2010 then doesn't the put into questions that accuracy of the finding. Also as this guy states if investment plans are often made years in advance then the other data claiming that the effects of Title II on the industry are evident is an incorrect as it has not been enough time.

One of the many issues I have with the study is how is accounts for the fact that some ISP's were classified under Title II of the communications act for some time. How is that factored in?

DSL was regulated as a common carrier until 2005, if it is just the classification of Title II scared ISP's into not investing then how does this guy account for the fact the DSL was classified as a common carrier for some time while not having to follow all the regulations. How is that factor into his data and controlled for?

Citation 58 is that saying that large organizations are not part of this? Or are in some way excluded from the scope because they get enterprise service offerings or special access services?

I am not ok with that. That seems like large organizations are getting special treatment. Shouldn't they be regulated and treated the same way?

Just because your company is large and has money does not mean you deserve special treatment.

And why would they not be part of this scope if this is such a great thing for innovation and the economy should they have a hand in that too?

Para. 94: makes a comparison to subscribership. Since it does provide a link to the cited data and so much of it has been questionable as it states if subscriber ship is talking about consumers singing up that has very little to do with common carrier status.

THE STUDIES:

The studies sited by this order all have different numbers, are approximate number, are guessed at because they cant get fully formed numbers, or take out this part of capex

reporting because of this reason or that each study has a different reason for why they think removing this many Billions of dollars from a companies reported capital expender is valid or why taking out this number is valid. Also those numbers that are removed (from companies reported capex) in the studies are also often guessed at and rounded up in favor of making seem like Net Neutrality/that 2015 FCC order/Title II classification of ISP's is hurting our country. And to be clear these studies contradict each other and all use different numbers

Yet when a study shows a different conclusion that the predetermined and desired out come of this report comes out it is invalidated or ignored by the FCC.

An example of this is a study done by a corporation called Free Press.

There study seems fare more detailed (I have not been able to read the whole thing), and in-depth of a study then the every varying ones cited in this report as evidence. So I do not understand how reports that contradict/differ one another in data and facts yet show the biased and favored desire of those writing this 'report and order' are more valid or deserve more credence than a report that does not. (again such as the Free Press one which is sited in the report.)

And since according to one of the studies sited in this 'report' saying that the drop in investment from Title II regulations paranoia started in 2010/2011 ish its pretty clear and a reasonably reasonable obvious conclusion that Title II classification does not hurt this country.

We are ahead of the rest of the world in terms of infrastructure and tech.

(Citation 352- which puts the other studies into question like citations 337,336, 334)

The study from USTelecom (citations 334) says they excluded a few types of ISP providers including satellite providers, yet paragraph 124- 126 approximately use satellite providers to show competition and options in the market. If that study did take into account satellite would that change the numbers.

Para 124: The FCC report also states that while they are using satellite providers as an example of competition in the market to prove their point of competition in the market they make no claim that this type of ISP is in the same market as higher speed fixed internet accesses services (citation 450). Yet another example of inconsistency and twisting of facts in this study which make it impossible for the average American to make complete sense of.

Para 57 is hypocritical to another section I think where it say the phone north American numbering system and ISP transmission are not functionally the same they are different things.

This paragraph however says that Dial-up and Broadband are essentially the same thing even if the tech and system for using they are just at different degrees.

Would that not be the same thing for phone numbers and ISP's addresses its just a more advanced tech with the same idea.

If the tech was originally created using the phones lines and requiring that tech it seems obvious it used the same idea of assigning a number to a place and when that number is input in either it takes to the place.

So again information services are telecommunication services. But earlier this report said that these services are mutually exclusive.

This order often sites NCTA AT&T Verizon, Comcast and others for which this report always or almost always agrees with these companies who have a biased view point and stand to make a lot more money if this order goes through. That makes this report and the motive behind it questionable.

A report that is constantly agreeing and holder high the view points of a small faction of the country who would benefit financially from this order and title I classification while ignore the over whelming majority of Americans is not valid in my eye because it is not reliable.

They did it again and again and again in the citation and paragraphs. An example is paragraph 60 where they agree with AT&T or paragraph 76 while disagree with others who do not financial benefit from this order.

More weight is given to these commenter's like AT&T and NCTA than other comments.

I seems clear that the FCC is not representing, listening to, or addressing the concerns of the MAJORITY of comments.

In fact I am not sure they even read all the comments, since the FCC stated to the Washington Post that they did not.

Much like several parts of this report they cherry picked the comments they wanted to create the out come.

Citation 865 is another example of this where comments from ISP providers who benefit from the out come of this order and the current Chairman's repeated biased statements over the years regarding Net Neutrality and an open equal and fair internet while comments from consumers including the over whelming majority of Americans are ignored or have less value.

Doesn't para 55/56 citations 207 contradicts Para 60 that states (any X including specifically a Y does logically imply that all Y's are X's). In contrast Citation 207 says that their "interpretation stops far short of the view that every transmission of information becomes an information service." ?

Para 61 with citation 235 is also nonsensical and a contradiction. They are ignoring parts of courts rulings while interpreting others to mean what they want and doing they same thing with legislation and rule making.

Para #19 and Citation 58: This is section III that is about ending public-utility regulations of the internet.

Does this report not include large organizations? Does this include the government? Why would you not include enterprise service offerings or special access service that are typically offered to large organizations? Are they getting access to the internet from ISP on the same or similar networks as with the same tech as all other consumers. Why do 'larger' organizations not have to abide by the rules or lack their of that the individual does? Why do they get different rights? Can individual consumers team up to create a larger group? would that constitute a larger organization?

** This is not everything and I would not able to finish the whole report I refer you to the other documents for more issues concerns and questions.

Other maybe double:

-several of the citations links to you no where or not to what they say it is:
321, 326, 342.

Why are they linking to sources that do not exist?

-Europe has much stricter rules over the internet and they still have the internet and use many of the same applications we in the US use.

Last I checked London had not problem doing business or using the Internet.

-In this report it states that the media/report by news are deterrents for these companies and keep them honest. Yet this administration has stated that the news media is "fake news" again and again. Ignored relevant questions regarding concerns from the American people and often provide fake facts, non-sensible answers, or answers that don't address the question being asked (non answers or off topic or diversions.

How do we know what is fake news and what is not?

How to we trust this administration when they don't address the concerns of the American people, even when questioned are asked? Or when the American people make their thoughts and opinions heard and they are ignored?